

BILL NO. Z-87-06-36

ZONING MAP ORDINANCE NO. Z-

16-87

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a R-3 (Multi-Family) District under the
terms of Chapter 33 of the Code of the City of Fort Wayne,
Indiana of 1974:

Lots 1, 6, 7, and 8 in Broadway Place Addition; Lots
25-27 and Lots 56-67 in Fox's Addition to the City of
Fort Wayne,
and the symbols of the City of Fort Wayne Zoning Map No.
L-3, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

Bruce O. Boxberger
BRUCE O. BOXBERGER, CITY ATTORNEY

Fox River Bond
25% COTTON

Read the first time in full and on motion by Bradbury
seconded by Talarico, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19____, at _____ o'clock _____ M.,

DATE: 6-23-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury
seconded by Epstein, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GIAQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 7-14-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-16-87
on the 14th day of July, 1987

ATTEST:

Sandra E. Kennedy

(SEAL)

Mark E. GiaQuinta

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana
on the 15th day of July, 1987
at the hour of 11:30 o'clock 9 .M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of July
1987, at the hour of 9:00 o'clock A .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Poplar Neighborhood Association

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an M1 District to a/an R3 District the property described as follows:

Lots 1, 6, 7, and 8 in Broadway Place Addition; Lots 25-27 and lots
56-67 in Fox's Addition to the City of Fort Wayne

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 2104, 2110, 2114, 2118, 2122, 2126, 2130,
2134, 2136, 2140, 2144 Miner Street; 832, 835, 836, 838, 839, 843, and
901 Walnut Street; 2101 Broadway

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Blondell Jola</u>	<u>2134 Miner</u>	<u>Jola Blondell</u>
<u>Mazziozzi MARY</u>	<u>2140 Miner St.</u>	<u>Mary Mazziozzi</u>
<u>Mazziozzi MARY Mrs.</u>	<u>2144 Miner St.</u>	<u>Mary Mazziozzi</u>
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>Vincent Wells</u>	<u>735 Poplar, Ft. Wayne 46802</u>	<u>219/744-5710</u>
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

<u>VALORIE MESZAROS</u>	<u>901 WALNUT ST.</u>	<u>Valorie Meszaros</u>
<u>PATRICIA A. HAMILTON</u>	<u>9 2136 MINER</u>	<u>Guadalupe Davila</u>
<u>Guadalupe Davila</u>	<u>832 Walnut</u>	<u>Patricia A. Hommel</u>
<u>ROBERT C. ARNOLD</u>	<u>705 E STATE</u>	<u>Robert C. Arnold</u>
<u>ROSEMARY GRIST & DONALD W. KEK</u>	<u>838 Walnut</u>	<u>Rosemary Grist & Donald W. Kek</u>
<u>(Name)</u>	<u>160 WEST ST.</u>	<u>(Signature)</u>
	<u>(Address)</u>	

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 23, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-06-36; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 15, 1987.

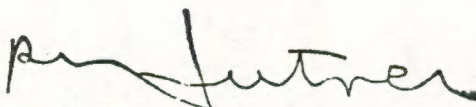
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 22, 1987.

Certified and signed this
25th day of June 1987.



Robert Hutner
Secretary

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. _____

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE. Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 2104, 2110, 2114, 2118, 2122, 2126, 2130, 2134, 2136,

2140, 2144 Miner Street; 832, 835, 836, 838, 839, 843, 901 Walnut Street;

2101 Broadway

3-87-06-36

EFFECT OF PASSAGE Property is present zoned M-1 - Light Industrial.

Property will become R-3 - Multi-Family Residential District.

EFFECT OF NON-PASSAGE Property will remain M-1 - Light Industrial.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

Division of Community Development & Planning

1-201-5111

Z-87-06-36

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment

From M-1 to R-3

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

2104-10-14-18-22-26-30-23-36-40-44 Miner St;
832-35-36-38-39-43 & 901 Walnut St;
2101 Broadway

Reason for Project

Downzoning

Discussion (Including relationship to other Council actions)

15 June 1987 - Public Hearing

Mr. Vincent Wells, president of the Poplar Neighborhood Assn., stated that they were requesting the downzoning in order to protect the property owners that are right next to the M-1 properties. He stated that by downzoning these properties it will prevent any commercial uses from moving into this area adjacent to the residential properties.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

22 June 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

Of the 6 members present 5 voted in favor of the motion one (1) did not vote.

Motion carried.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Poplar Neighborhood Assn
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☒ For ☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For ☐ Against
☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 7 May 1987

Projected Completion or Occupancy

Date 25 June 1987

Fact Sheet Prepared by

Patricia Biancaniello

Date 25 June 1987

Reviewed by

Greg Butler
Reference or Case Number

Date

30 June 1987

7/14/87

BILL NO. Z-87-06-36

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the City of Fort

Wayne Zoning Map No. L-3

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG

LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~) No Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY
CHAIRPERSON

Charles B. Redd CHARLES B. REDD
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN 7-14-87

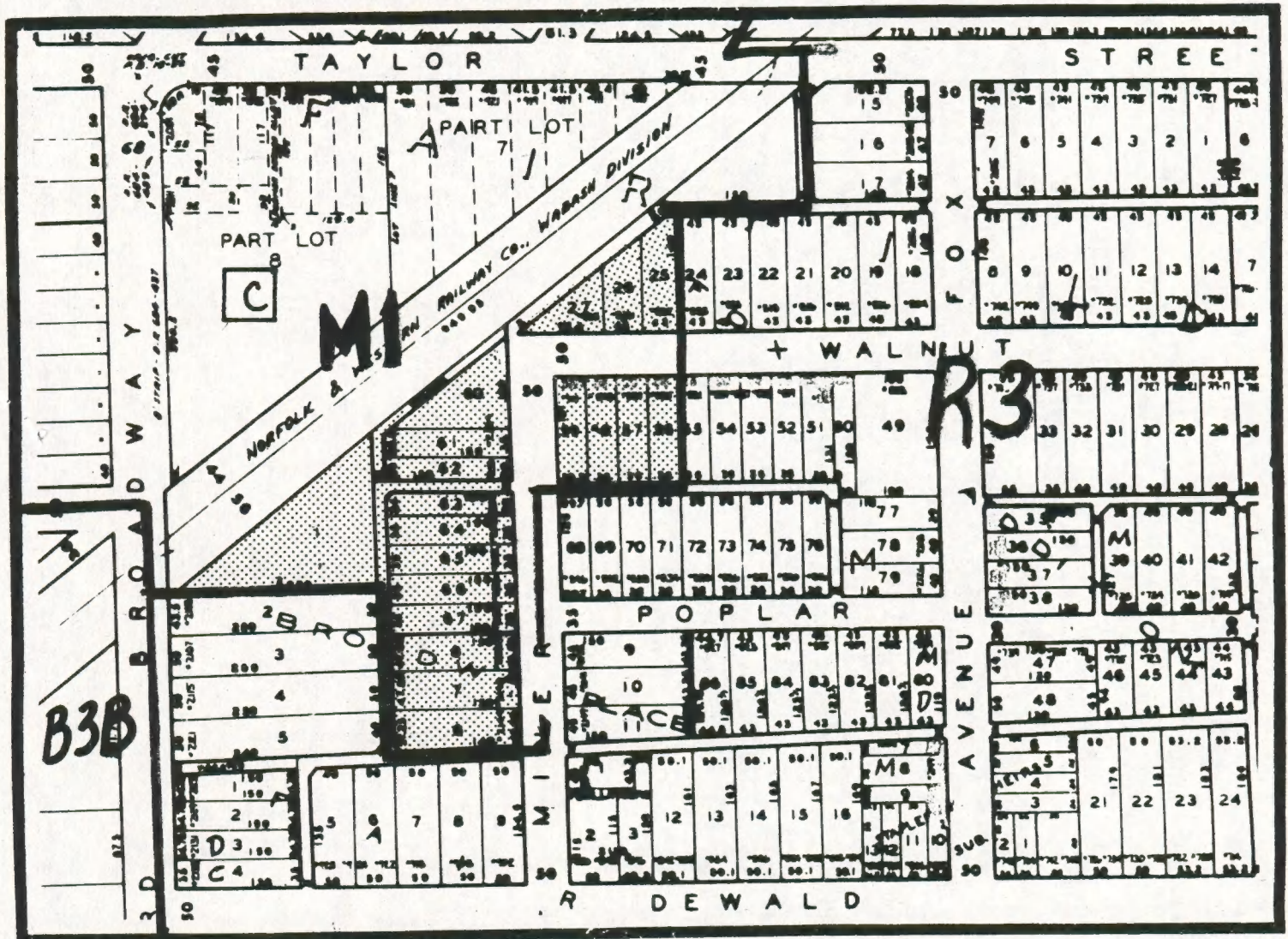
SANDRA E. KENNEDY
CITY CLERK

REZONING PETITION # 800

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN MI DISTRICT TO AN R3 DISTRICT.

MAP NO. L-3

COUNCILMANIC DISTRICT NO. 1



ZONING:

MI LIGHT INDUSTRY
R3 RESIDENTIAL DISTRICT
B3B GENERAL BUSINESS 'B'

LAND USE:

S SINGLE FAMILY
D DUPLEX
M MULTI-FAMILY
C COMMERCIAL

SCALE: 1" = 200'

DATE: 5-29-87

